

CITY OF NEWTON

IN BOARD OF ALDERMEN

ORDINANCE NO. A-6

October 1, 2012

BE IT ORDAINED BY THE BOARD OF ALDERMEN
OF THE CITY OF NEWTON AS FOLLOWS:

That the Revised Ordinances of Newton, Massachusetts, 2012, as amended, be and are hereby further amended with respect to Chapter 30 **Zoning** as follows:

1. In **Sec. 30-24. Special Permits.** delete paragraphs (a) and (b) in their entirety and insert in place thereof the following:

(a) Whenever a special permit is required under the provisions of this ordinance, a written application for a special permit, on forms provided by the city clerk and accompanied by plans prepared as provided in section 30-23(b) shall be submitted in accordance with the procedures of this section and the Rules and Orders of the board of aldermen pertaining to special permit and site plan approval petitions to the city clerk, who shall transmit such application to the board of aldermen and the department of planning and development. Whenever an application for a special permit is required under the provisions of this ordinance, site plan approval in accordance with section 30-23 shall also be required and an application for such approval shall be filed concurrently with the application for special permit.

(b) *Contents of the Application.* Each application for a special permit shall be accompanied by a site plan submission prepared in accordance with the provisions of section 30-23(b).

The applicant shall also submit a three-dimensional (3D) computer-generated model, including such details as necessary to show the relationship of the project to its surroundings. The level of detail included in the model shall be at the discretion of the Director of Planning and Development. The architect of record shall certify that the model is an accurate representation of the proposed design. For any commercial and/or multi-family development with a gross floor area of 20,000 square feet or more a model shall be provided as follows: for a proposed development containing a gross floor area of 20,000 to 50,000 square feet, the model shall show the proposed development, all abutting properties and abutters to such abutting properties; for a proposed development containing a gross floor area 50,001 to 100,000 square feet, the model shall show the proposed development and all properties within 500 feet from the lot line of the proposed development or all abutting properties and abutters to such abutting properties, whichever is greater; for a proposed development containing a gross floor area in excess of 100,000

square feet, the model shall show the proposed development and all properties within 1,000 feet of the lot line of the proposed development or all abutting properties and abutters to such abutting properties, whichever is greater. The model shall be provided to the City in a file format acceptable to the director of planning and development, in consultation with the clerk of the board of aldermen, the city solicitor, and the chief information officer.

2. In **Sec. 30-24. Special Permits.** add in paragraph (c) *Procedures.* a new paragraph (1) as follows and re-number subsequent paragraphs accordingly.

(1) As part of an application for special permit, an applicant must comply with the Rules and Orders of the board of aldermen pertaining to special permit and site plan approval.

3. In **Sec. 30-24. Special Permits.** delete in subsection 30-24(j) *Additional Filing requirements for Special Permit in the Mixed-Use 3/Transit-oriented District* paragraph (2) and insert in place thereof the following:

(2) A three-dimensional (3D) computer-generated model that shows the relationship of the project to its surroundings consistent with section 30-24(b);

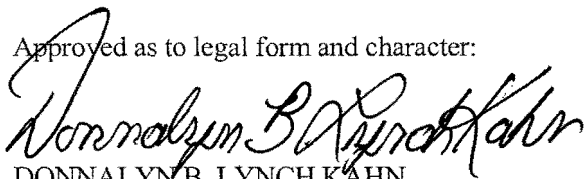
5. In **Sec. 30-23. Site Plan Approval.** delete paragraph (b) in its entirety and insert in place thereof the following:

(b) *Applications.* A written application for a site plan approval, on forms provided by the city clerk and accompanied by fifteen (15) sets of plans prepared as provided below, shall be submitted in accordance with the procedures of this section and the Rules and Orders of the board of aldermen pertaining to special permit and site plan approval petitions to the city clerk, who shall transmit such application to the board of aldermen and the department of planning and development.

6. In subsection 30-15(s)(10) *Additional filing requirements for PMBDs.* delete paragraph (a) and insert in place thereof the following:

(a) A three-dimensional (3D) computer-generated model consistent with section 30-24(b);

Approved as to legal form and character:



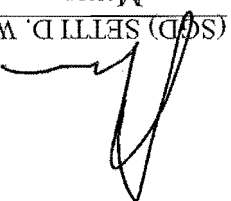
DONNALYN B. LYNCH KAHN

City Solicitor

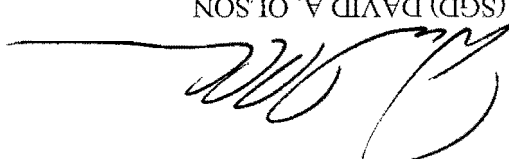
Under Suspension of Rules

Readings Waived and Approved

23 yeas 0 nays 1 absent (Alderman Gentile)


(SGD) SETTI D. WARREN
Mayor

Date: 10/17/12


(SGD) DAVID A. OLSON
City Clerk